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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MERRILL LYNCH & CO., INC.,

Plaintiff,

v.

"JOHN DOE",

Defendant.

USDC SDNY
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DATE FILED: 7/15/08

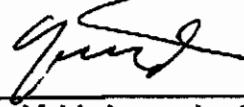
07-CV-9649 (RPP/JCF)

**VOLUNTARY DISMISSAL OF
ACTION UNDER F.R.C.P. 41(a)**

Plaintiff Merrill Lynch & Co., Inc. ("Plaintiff"), by its undersigned attorneys, hereby voluntarily dismisses this action without prejudice pursuant to Rule 41(a) of Federal Rules of Civil Procedure.

Dated: July 14, 2008

KILPATRICK STOCKTON LLP

By: 
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Attorneys for Plaintiff application granted
So ordered
RSP/PLB USDT
7/14/08
case closed